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SUBJECT: ANOTHER CONSTITUTIONAL PROMISE DISREGARDED

¶1. SUMMARY: On January 22 local media reported Minister of Education and Training Wilson Ntshangase saying that his ministry doesn't know when it will enact free primary education. The constitution mandates free primary education in 2009. The Ministry issued a statement saying a shortage of teachers, funds, and school infrastructure is the reason free primary education will not be realized in 2009. The constitution was approved by Parliament in July 2005 and the GKOS has received record surplus income from Southern Africa Customs Union (SACU) recipients, Swaziland's main source of income, for the past few years. END SUMMARY.

¶2. On January 19-20 the Council of Swaziland Churches, in conjunction with Open Society Initiative for Southern Africa, placed statements in Swaziland's two newspapers calling for the implementation of free primary school education, per the constitutional requirement. The constitution mandates free primary education to begin in 2009. On January 22 the Ministry of Education and Training issued a statement saying a shortage of teachers, funds, and school infrastructure is the reason free primary education will not be realized in 2009. The Ministry reports it doesn't know when it will enact free primary education, but is working on finalizing an implementation plan. In an interview with local media, Minister Ntshangase said free primary education will be implemented "sooner or later," that the money meant for free education had been spent on the orphan and vulnerable children fund, and that civil society groups should not to engage in protest actions. The Minister would not acknowledge that not providing free primary education violated the constitution.

¶3. The Ministry of Education and the Ministry of Finance have known since 2005 (Parliament passed the constitution in July 2005) that primary education was supposed to become free in 2009, and despite record high surpluses from SACU receipts, the GKOS apparently purposely failed to prepare to implement free primary education.

¶4. COMMENT: The GKOS decision to once again ignore the constitution is not surprising; neither is its poor budget allocation and lack of preparation. Although the civil society community here is weak, this particular campaign may get more support from the public than most because the cost of school fees is a great concern of Swazi citizens, many of whom are also supporting the orphaned children of relatives who have died of HIV/AIDS. End comment.

PARKER